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**SENATE BILL 245**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Gerald P. Ortiz y Pino**

**AN ACT**

**RELATING TO MEDICAID; EXPANDING ELIGIBILITY CRITERIA; AMENDING  
A SECTION OF THE NMSA 1978.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. Section 27-2B-15 NMSA 1978 (being Laws 1998,  
Chapter 8, Section 15 and Laws 1998, Chapter 9, Section 15, as  
amended by Laws 2001, Chapter 295, Section 8 and by Laws 2001,  
Chapter 326, Section 8) is amended to read:**

**"27-2B-15. MEDICAID ELIGIBILITY. --**

**A. The following are eligible for medicaid:**

- (1) a participant who is in transition to  
self-sufficiency due to employment or child support;**
- (2) a pregnant woman who meets the income and  
resource requirements for New Mexico's aid to families with  
dependent children as they existed on July 16, 1996;**

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1 (3) a member of a benefit group who is  
2 eighteen years of age or younger if the benefit group's income  
3 is below one hundred eighty-five percent of the federal poverty  
4 guidelines;

5 (4) a pregnant woman whose income is below one  
6 hundred eighty-five percent of the federal poverty guidelines;

7 (5) participants receiving federal  
8 supplemental security income;

9 (6) an aged, blind or disabled person in an  
10 institution who meets all the supplemental security income  
11 standards except for income;

12 (7) a person who meets all standards for  
13 institutional care but is cared for at home and meets  
14 eligibility standards for medicaid;

15 (8) a qualified medicare beneficiary,  
16 qualified disabled working person or specified low-income  
17 medicare beneficiary; and

18 (9) a foster child in the custody of the state  
19 or of an Indian pueblo, tribe or nation who meets eligibility  
20 standards for medicare.

21 B. Effective October 1, 2001, for the medicaid  
22 category designated "JUL medicaid" by the department, the  
23 income eligibility criteria shall be the same as the income  
24 eligibility criteria set forth in the New Mexico Works Act.

25 C. A child newborn to twenty-four months of age who

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1 qualifies as an eligible member of a benefit group pursuant to  
2 Paragraph (3) of Subsection A of this section shall have  
3 continuous eligibility and shall not require recertification  
4 during that time."